

---

**AFFIDAVIT OF FINLEY BAUMBACH**

---

“I, Finley Baumbach, am the Petitioner in the attached Petition for the Return of the Child to Petitioner. I am above the age of eighteen years, and I am seeking the return of my children to Alberta, Canada. I am fully competent to make this affidavit. The facts and circumstances alleged are true to the best of my knowledge and belief.

“I am the father of Vance Finley Baumbach, born November 13, 2004, and Danielle Raecean Baumbach, born November 7, 2007.

“In approximately the first week of July 2012, Monica Rae Baumbach, my ex-wife and the mother of the children, removed my children from me and I have not seen them since.

“On January 8, 2013, I filed a Family Law Application requesting the Court of Queen’s Bench of Alberta, Medicine Hat, Alberta, Canada (hereinafter “the Court”) order my children returned to Medicine Hat, Alberta, Canada in Court File Number 4808-11556.

“On March 20, 2013, the Court issued an Amended Order ordering my children be immediately returned to the court’s jurisdiction.

“On September 22, 2015, I filed a second Family Law Application requesting the Court order my children returned to Medicine Hat, Alberta, Canada.

“On October 14, 2015, the Court issued an Order for me to contact the local police to find the Monica Rae Baumbach to pursue the request for my children to be returned.

“On December 11, 2015, after the local police had found Monica Rae Baumbach, the Court issued an Order ordering my children be immediately returned to the court’s jurisdiction, confirming that I have joint custody of them, and confirming that their ordinary and habitual residence was the Province of Alberta immediately prior to their being wrongfully removed from and not returned to the Province of Alberta.

“At the hearing on December 11, 2015, I finally learned from Monica Rae Baumbach that her mother, Catherine Miller, has the children at 8380 FM 314 N, Brownsboro, Texas 75756.

“I have not consented or acquiesced to the removal of my children from Canada, and I have not consented or acquiesced to Catherine Miller not returning them.

“My children were wrongfully abducted from Canada and are presently being wrongfully-retained in the United States of America. I believe that Catherine Miller’s intent is to wrongfully retain the children and that Catherine Miller has abducted my children.

“Accordingly, I believe that my children are presently living at 8380 FM 314 N, Brownsboro, Texas 75756 and that Catherine Miller is holding the children at that address in Texas.

“At the time of the wrongful abduction, my children were habitual residents of Alberta, Canada and I was exercising an exclusive right of custody within the meaning of Article 3 of the Hague Convention.

“The U.S. Department of State and Director Office of Children Issues, has acknowledged receipt of my Hague Application, which has been transmitted by the Central Authority for the Province of Alberta, Canada.

“The issue of custody has been determined by the Court, which has continuing jurisdiction in Court File Number 4808-011556. The most recent child custody determination was rendered on December 11, 2015.

“My children were born in Alberta, Canada and continuously lived in Medicine Hat, Alberta, Canada with me until they were wrongfully retained in Texas by Catherine Miller in July 2012.

“My present address is 1646 21 Avenue SE, Medicine Hat, Alberta, Canada.

“Monica Rae Baumbach, the mother of the children, is not a party to this proceeding but claims rights of legal custody or visitation with the children. Monica Rae Baumbach’s last known address was 658 Rutherford Street NW, Medicine Hat, Alberta Canada as of August 8, 2011.

“The last time I saw my children was the first week of July 2012. I did not know where my children were until December 11, 2015. Since then I have initiated this proceeding under the Hague Convention. I did not give permission for them to leave the country of Canada. The Court in Canada has ordered them to be returned, and I just want them returned more than anything.”

  
\_\_\_\_\_  
Finley Baumbach

SWORN BEFORE ME at \_\_\_\_\_, Alberta, Canada on the \_\_\_\_\_  
day of December 2016.

\_\_\_\_\_  
Notary Public in and for the Province of Alberta

My commission expires: \_\_\_\_\_